

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3037 OF 2002
IN
FIRST APPEAL NO.1028 OF 2002

Oriental Insurance Co. .. Applicant
Versus
Ramujagir Sitalprasad Mourya & Ors. .. Respondents

CORAM : P.V.KAKADE, J.
DATE : 17TH SEPTEMBER, 2004

P.C.:

1. Heard both sides.
2. This is an application for stay of the Award passed in Application No.287 of 1993 before the MACT Raigad at Alibag.

3. The application is made absolute in terms of prayer clause (a).

4. It is submitted on behalf of the Respondent that the entire decretal amount is deposited and therefore it should be allowed to be withdrawn.

5. In view of the facts and circumstances it is hereby directed that the respondent is at liberty to withdraw Rs.1,00,000/= from the Lower Court without security, remaining amount of Rs.1,00,000/= shall be withdrawn on adequate security to the satisfaction of the Lower Court and residual amount including accrued interest thereon shall be invested in any Nationalised Bank for initially period of three years.

6. With these directions the Application stands disposed of. The respondents shall also be entitled to withdraw periodical interest accrued on invested amount.